

**TOWN MANAGER**  
Ken Deal

**TOWN CLERK**  
Pamela Mills

**TOWN ATTORNEY**  
Tom Brooke



**MAYOR**  
Charles Seaford

**TOWN COUNCIL**  
Don Bringle  
Arthur Heggins  
Brandon Linn  
Rodney Phillips  
Steve Stroud

**CHINA GROVE PLANNING BOARD MEETING**  
**Minutes of Regular Meeting**  
**Thursday, February 13, 2020**

The China Grove Planning Board met on Thursday, February 13, 2020 at 7:00 PM at the China Grove Town Hall, 333 North Main Street, China Grove, North Carolina.

**Planning Board Members Present:** David Morton, Chairman  
Butch Bivens, Vice Chairman  
Natalie Morgan  
Jason Hinson  
Jason Higgins  
Brie Bivens-Hager

**Planning Board Members Absent:** Rodney Phillips

**Staff Present:** Pamela Mills, Town Clerk  
Franklin Gover, Assistant Town Manager

**Visitors:** Chris Loukos, Kevin Williams

**Roll Call and Recognition of Quorum**

Chairman Morton called the meeting to order at 7:00 PM. The presence of a quorum was recognized at that time.

**Approval/ Corrections of Minutes**

Mr. Hinson made the motion to approve the September 12, 2019 minutes. Mr. Higgins seconded the motion, which carried unanimously.

**Adoption of Agenda**

Chairman Morton amended the agenda with the addition of Electing the Chairman and Vice-Chairman as Item 8 c. Mr. Hinson made the motion to adopt the agenda. Mr. Higgins seconded the motion, which carried unanimously.

**Public Comment**

None

**2020-Z-01 & 2020-CUP-01; Chris Loukos**

333 N Main Street, China Grove, NC 28023 | Phone (704) 857-2466 | Fax (704) 855-1855

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Mr. Gover stated the applicant is requesting a rezoning from the Light Industrial district to a Mixed Residential Conditional Use district to accommodate a multi-family residential development. He stated the property is located at the southern end of Ketchie Estate Road. He stated the parcel is Rowan County Tax Parcel 124 101, located in the ETJ and is a 23-acre site. He stated the parcel is currently zoned Light Industrial and is impacted by Cold Water Creek. He stated the flood damage prevention ordinance is administered by Rowan County and the flood plan development permitting process is handled at the County. He stated looking at the site it is heavily wooded and vacant in the area. He stated Ketchie Estate is a residential area as well as Grove Street and Hegler Street. He stated Power Street has some HB zoning. He stated according to the China Grove Land Use Plan this property is located in the Regional Industrial/Employment Center future land use category. He stated the parcel is the only parcel west of I-85 included in the Regional Industrial/Employment Center. He stated if you recommend to the Council to change the zoning tonight then you will also need to recommend amending the Land Use Plan to Neighborhood Residential due to the proximity to I85 and other major corridors. He stated the town does not have a future land use category that includes residential in this area. He stated the Regional Industrial/Employment Center category designates areas within close proximity to major thoroughfares for light industrial and office park development. He stated the Neighborhood Residential category is typically found near the city center due to the density in that category. He stated the category that relates the most to Neighborhood Residential is Mixed Residential (R-M) district. He stated it is the highest density category we have. He stated this development is designed to meet the minimum requirements of the R-M district. He stated the parcel accesses Power Street via Ketchie Estate Road and is within close proximity to the exit 68 interchange along I-85. He stated the property owner intends to connect to our water and sewer system managed by SRU. He stated the parcel shall be annexed into the corporate limits prior to connection. He stated state maintenance does not continue to this property so the developer will have to extend Ketchie Estate Road to meet this parcel. He stated the developer is proposing a pool house and pool along with 401 parking spaces. He stated the rule for parking spaces is one space per bedroom. He stated the site is designed around the flood plan area. He stated the developer is showing 216 apartment units. He stated the engineers are reviewing the site and seeing what it would take to meet the state requirements for Phase II Stormwater Post Construction.

Mr. Hinson asked what Ketchie Estate Road is zoned now. Mr. Gover stated it is zoned Suburban Residential (RS).

Mr. Gover stated Ketchie Estates Road is the only entrance for this parcel. He stated the units will be sprinkled and there is adequate space around the buildings for fire trucks to get around. He stated there are several dumpster enclosures on the site. He stated looking at the elevation they are proposing hardy board siding, asphalt shingles and brick veneer. Mrs. Morgan asked if the buildings are 20 feet apart. Mr. Williams stated they are 20 feet apart.

Mr. Gover stated this parcel is in the Cold Water Creek watershed and they are at a 29% built upon area. He stated public notices were mailed on February 3<sup>rd</sup> and posted signs were placed on Ketchie Estate Road and at the property on January 30<sup>th</sup>.

Mr. Bivens asked how the 2<sup>nd</sup> and 3<sup>rd</sup> floor would be accessed, by an elevator or just stairs. Mr. Williams stated the bottom floors will be ADA accessible and the 2<sup>nd</sup> and 3<sup>rd</sup> floors will be accessed by stairs.

Chairman Morton opened the courtesy hearing.

Stan Caster, Tax Parcel 124 011 – He asked if the apartments rental or apartments to be purchased. He asked if the apartments will be used for low income housing. Chairman Morton stated he understands the apartments will be rentals and being marketed at luxury apartments.

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Brenda McCurry, 175 Ketchie Estate Road – She asked how this would affect the value of their homes. Chairman Morton stated the road will be upgraded and paved and could increase the value of the homes on the street. He stated the value of this project is substantial and could increase home values as well. She asked since all the residents on this road have well and septic, will their properties be affected by the addition of water and sewer to this property. Chairman Morton stated the path of water is from Grove Street and Heglar Street. He stated the sewer would travel south down I-85. Mr. Williams stated they will be paving and widen all of Ketchie Estate Road. He stated as far as sewer there is a forced main behind the first proposed building but they intend to connect to an existing manhole on the south side of the property. He stated this property will be connect to a sewer line separate from anyone that is connect to sewer on this road.

Yancey Doby, 155 Ketchie Estate Road – He stated he is concerned on how this would affect his sewer at his property. He stated the sewer line he is hooked up to comes from Carson High School and crosses under I-85. Mr. Williams stated that is not the sewer line that this property would be connected to so it would not affect your sewer.

Carla Doby, 155 Ketchie Estate Road – She asked if the apartments would be annexed into the city limits. Chairman Morton stated as a requirement the property would be annexed into the city limits before they hookup to water and sewer. She asked if they would be annexed as well. Mr. Gover stated in North Carolina forced annexation does not occur. He stated you would have to request to be annex. Mrs. Doby stated she is concerned with the traffic this development would cause on Power Street. She stated the traffic on Power Street due to the roundabouts has increased and has made it harder to exit the street left or right.

Kay Overcash, 250 Ketchie Estate Road – He stated he thinks this will affect the residents on Ketchie Estate Road drastically. He stated one entrance and exit for 216 units will increase the traffic tremendously. He asked with the street widening will there still be ditches on each side of the road. He asked if the project would be completed in one phase or multiple phases.

Eddie Ford, 330 Ketchie Estate Road – He stated his property adjoins this property and he is not in favor of this project. He stated he moved there because it was a quiet dead-end street.

Chairman Morton asked if the project will be built in phases and if so can the board require the project to be built all at once. Mr. Williams stated the intent is to do a full buildout. Mr. Gover stated we have no control for phasing. Mr. Williams stated we are trying to work with the terrain at hand and we will be borrowing dirt from other parts of the site to raise the site. He stated the whole site will be mass graded. He stated he will be submitting a full permit set to NCDOT.

Don Heglar, 2407 N Main St, Kannapolis - He stated he owns Tax Parcel 124 016 off of Heglar Street. He asked if this was a done deal. Chairman Morton stated no this is a courtesy hearing. He stated the Planning Board listens to comments from residents, they discuss the case and then make a recommendation to the Town Council. Mr. Heglar asked how far from the interstate will these buildings be. Chairman Morton stated if you look at the layout, the reason these buildings are pushed to the top is because the bottom area is swamp land. He stated he was concerned with flooding in the area due to the creek. Chairman Morton stated through Stormwater Management and using Best Management Practices the developer will have to handle the flow of water.

Joseph Basinger, 215 Ketchie Estate Road - He stated he is concerned with the speed of vehicles traveling on this road. He stated widening the road by 2 feet is not much. He stated his children and dogs play outside and this development would affect their safety.

Mother of Michael Overcash, 160 Ketchie Estate Road – She stated her son is a double amputee and is legally blind. She stated his one pleasure is to ride up and down Ketchie Estate Road on his motorized chair and talk to the neighbors. She stated he would not be able to do that with 400 plus vehicles traveling down that road.

Matt Overcash, 220 Ketchie Estate Road – He stated he is concerned with the traffic leaving the apartment complex in the morning and evening. He stated he moved there with the intent to live there his whole life. He stated this development changes that drastically.

Stan Caster, Tax Parcel 124 011 – He asked if the Board feels like this would be an asset to the town. Chairman Morton stated the way it is zoned now is Light Industrial. He stated anyone could come in and develop this property for a variety of uses without going through this process. He stated the access to the property would still be Ketchie Estate Road. He stated the road frontage near the interchange will be developed in the near future. He stated typically an apartment complex behind a business area near an interchange is compatible. He stated he is not sure if it is an asset but he believes the apartment complex is more compatible in the area than Light Industrial.

Chairman Morton closed the courtesy hearing.

Mr. Hinson asked what is currently allowed in Light Industrial. Mr. Gover stated all manufacturing, whole sale trade uses that are contained in a building or site. He stated Hitachi and R&L Carriers is Light Industrial.

Mr. Hinson asked since all the properties on Ketchie Estate Road are outside the city limits can sidewalks be a condition. Mr. Gover stated it is a NCDOT maintained road so the town has no control over the road. He stated NCDOT made their comments at the TRC meeting and they did not include sidewalks.

Mr. Higgins asked if there is concern leaving a small block of Light Industrial there. Mr. Gover stated that is part of economic development so no we are not concerned.

#### Statement of Consistency and Reasonableness

Mrs. Morgan made a motion that 2020-Z-01 is appropriate and necessary to meet the development needs of China Grove for the following reasons not previously envisioned by the China Grove Land Use Plan 1) the proposed amendment to the Mix Residential District is more compatible with the Ketchie Estate Road neighborhood than the existing Light Industrial district. Furthermore, the adoption of 2020-Z-01 is deemed an amendment to the China Grove Land Use Plan and is reasonable and in the public interest based on the fact that the subject parcel is in close proximity to the I-85 corridor and existing residential development. The land use plan shall be amended to reflect the need for higher density mixed use, and residential development in proximity to the I-85 corridor and major thoroughfares. Mr. Higgins seconded the motion, which was carried unanimously.

#### 2020-Z-01

Mr. Higgins made the motion to recommend approval 2020-Z-01 the request to rezone Rowan County Tax Parcel 124 101 from Light Industrial to Mixed Residential. Mr. Bivens seconded the motion, which was carried unanimously.

#### 2020-CUP-01

Mr. Bivens made the motion to recommend approval of 2020-CUP-02 to allow a multi-family residential development on Rowan County Tax Parcel 124 101. Mrs. Bivens-Hager seconded the motion, which was carried unanimously.

#### **2019-TA-02; Unified Development Ordinance Amendment to Chapter 11 Signs – Electronic Message Centers**

Mr. Gover stated this amendment allows Electronic Message Centers as freestanding monument style signs in specified districts, while removing freestanding signs from the Central Business District. He stated the amendment to the 11.4.1 includes allowing freestanding signs in the Neighborhood Center district. Chairman Morton asked the Board to review the amendments and make comments or changes and have then ready for the next meeting.

Mr. Hinson made the motion to table 2019-TA-02 until next month. Mr. Higgins seconded the motion, which carried unanimously.

#### **Other Business**

##### **a. Future of Planning Board and Board of Adjustment**

Chairman Morton stated he has resisted combining the two boards. He stated the BOA meets rarely and keeping the members active is a challenge. Mr. Gover stated he would do text amendments to change the Rules and Procedures concerning membership and time change of the BOA meeting. He stated the issues the BOA sees are setback and material issues.

##### **b. Create Subcommittee to Analyze Central Business District Uses**

Chairman Morton stated there has been conversation on what is allowed in Central Business mainly concerning the 2<sup>nd</sup> floor. Mr. Gover stated he would also like to discuss building design guidelines for Central Business district. Mr. Higgins, Mrs. Morgan, Mr. Morton volunteered to serve on the Subcommittee.

##### **c. Election of Chairman and Vice-Chairman**

Mr. Hinson made a motion to appoint David Morton for Chairman. There were no other nominations. Mr. Morgan seconded the motion, which carried unanimously.

Chairman Morton opened the floor for nominations of the Vice-Chairman. Mr. Hinson made the motion to appoint Butch Bivens for Vice-Chairman. There were no other nominations. Mrs. Bivens-Hager seconded the motion, which carried unanimously.

#### **Adjourn**

Mrs. Bivens-Hager made the motion to adjourn. Mr. Higgins seconded the motion, which was carried unanimously.

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David Morton  
Chairman

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Pamela L. Mills, CMC  
Town Clerk